

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Civil Application No. 429 of 2015

in

First Appeal St. No.25447 of 2014

Vidarbha Irrigation Development Corporation, through its Executive
Engineer, Pench Canal Division, Nagpur.

-Vrs.-

Shivnarayan Gourishankar Tamhanpure (Jaiswal) dead through his
legal heirs Smt. Nirmala wd/o Shivnarayan Jaiswal and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Shri Annop Parihar, advocate for petitioner.
Shri R.J. Shinde, advocate for R-1(a) to 1(f).
Mrs. Deshmukh, AGP for respondent nos.2, 3 & 4.

CORAM : B.R. Gavai & Indira K. Jain, JJ.

DATED : 22nd JULY, 2015

For the reasons stated, the application is allowed.
Delay is condoned. Civil Application is disposed of.

CAF 430/2015

In view of the order dated 13.2.2015, since the
applicant has deposited 50% of the amount of award, the
application is allowed. The execution of the judgment and
award dated 7.4.2014 is stayed.

FA St. No. 25445/2014.

Appeal is taken up for admission. Heard the

learned counsel for rival parties.

Appeal is **Admitted**.

CAO 1036/2015

The 50% of the amount of award has been directed to be deposited taking into consideration the view taken by the Division Bench of this court in First Appeal No.205/2006. In that view of the matter, we are inclined to allow the application. Application is allowed on the condition that the applicants shall file an undertaking to the effect that in the event they are required to refund the amount at the stage of hearing of appeal, they shall do so within the time prescribed by this Court.

JUDGE

JUDGE

Hirekhan